May 16, 2011 - Regular Town Council Meeting

At a Regular Meeting of the Town Council of the Town of Middletown, RI held at the Middletown Town Hall on Monday, May 16, 2011 at 7:00 P.M.

Council President Arthur S. Weber, Jr., Presiding

**Councillor Christopher T. Semonelli** 

**Councillor Antone C. Viveiros** 

Councillor Barbara A. VonVillas, Members Present

Vice President Bruce J. Long, Absent

**Councillor Richard Cambra** 

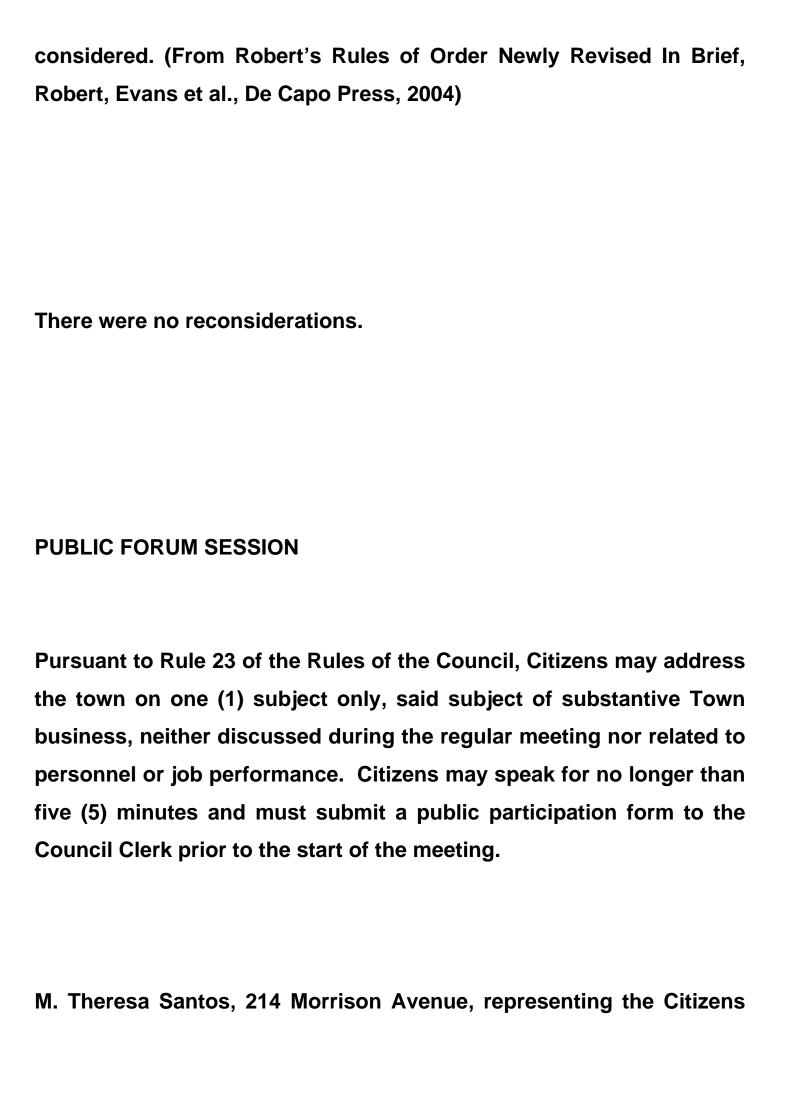
Councillor Edward J. Silveira, Jr.

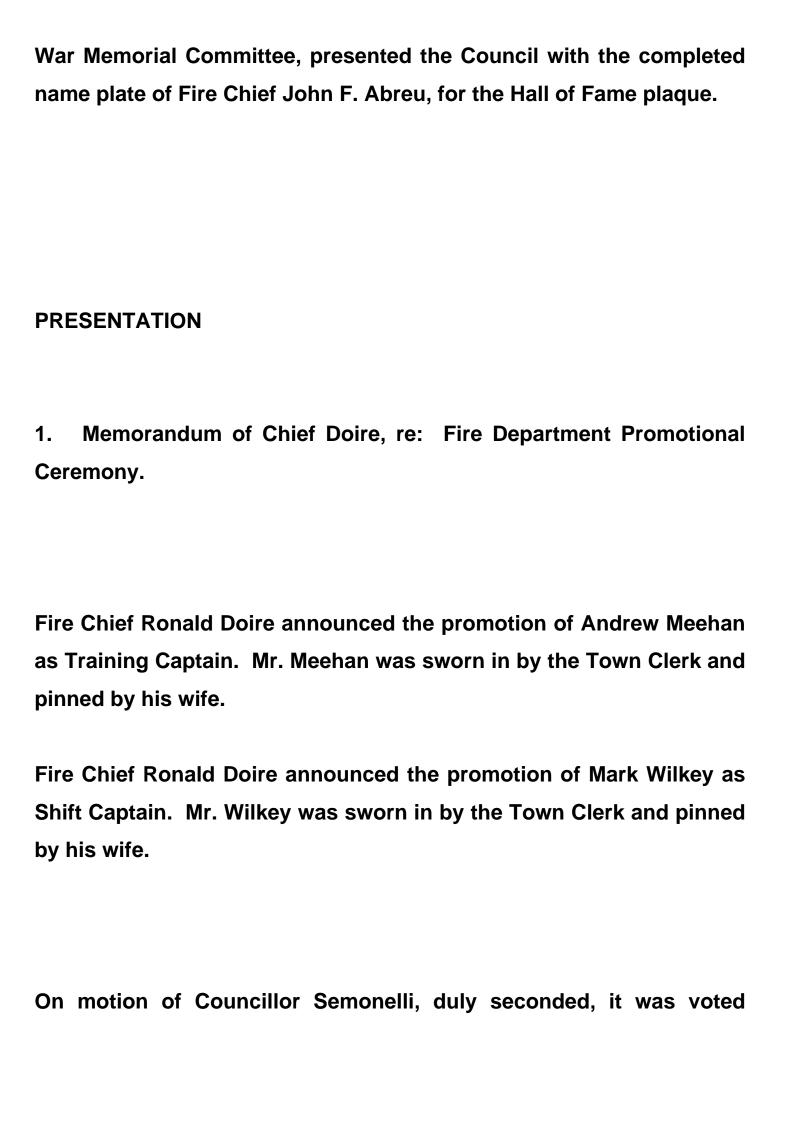
### PLEDGE OF ALLEGIANCE TO THE FLAG

### RECONSIDERATION

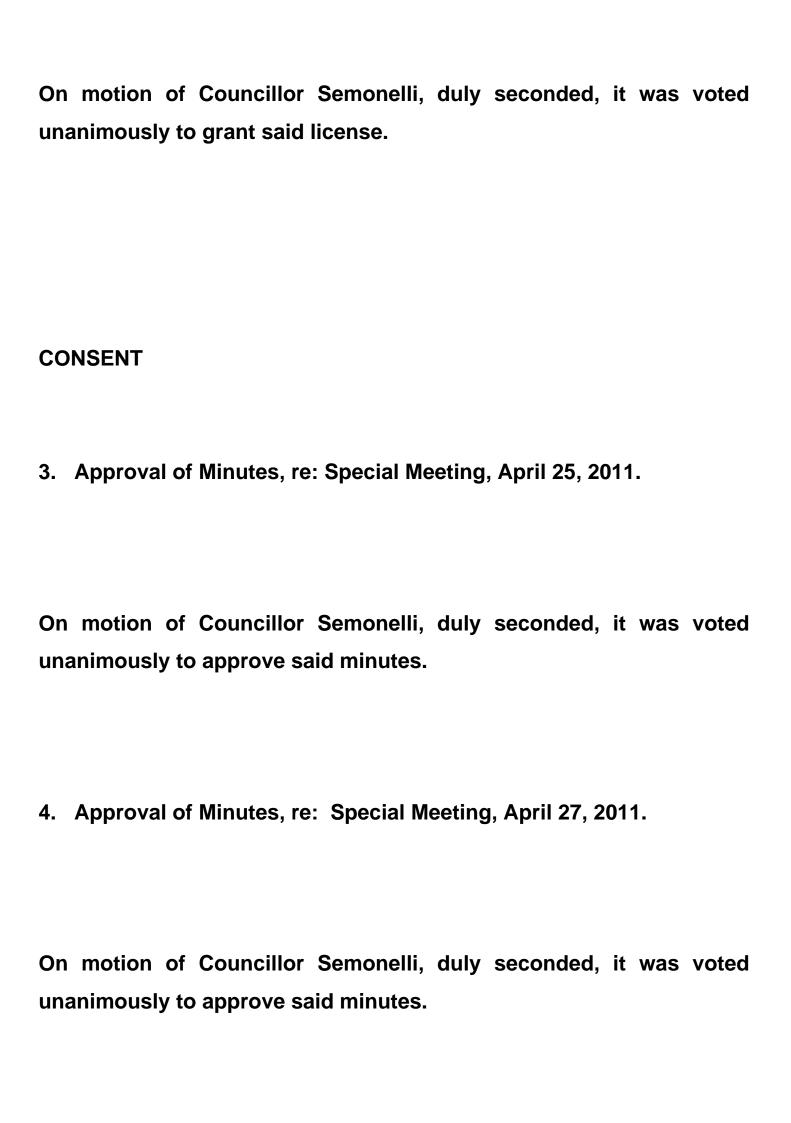
The Middletown Town Council follows the codification of present-day general parliamentary law as articulated in Robert's Rules of Order Newly Revised 10th edition (2000), together with whatever rules of order the Council has adopted for its own governance. The motion to reconsider is one of the motions that can bring a question again before an assembly, and is designed to bring back for further consideration a motion which has already been voted on:

If, in the same session that a motion has been voted on, but no later than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to Reconsider [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been

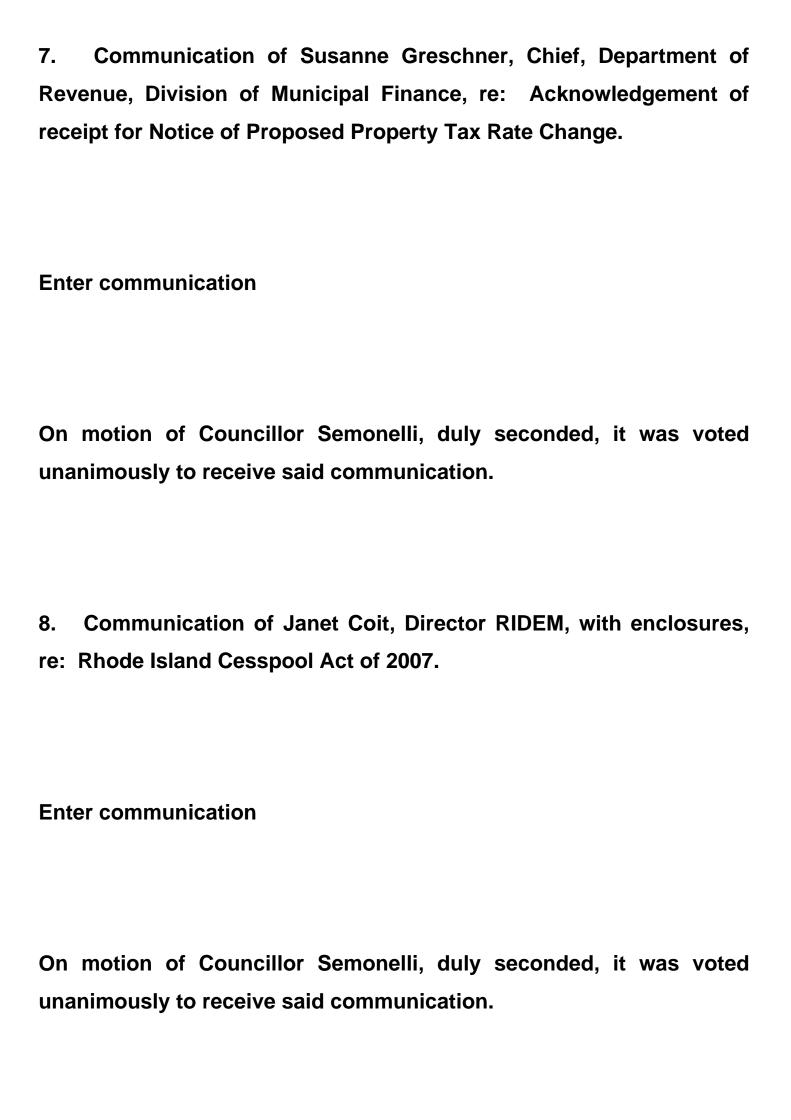


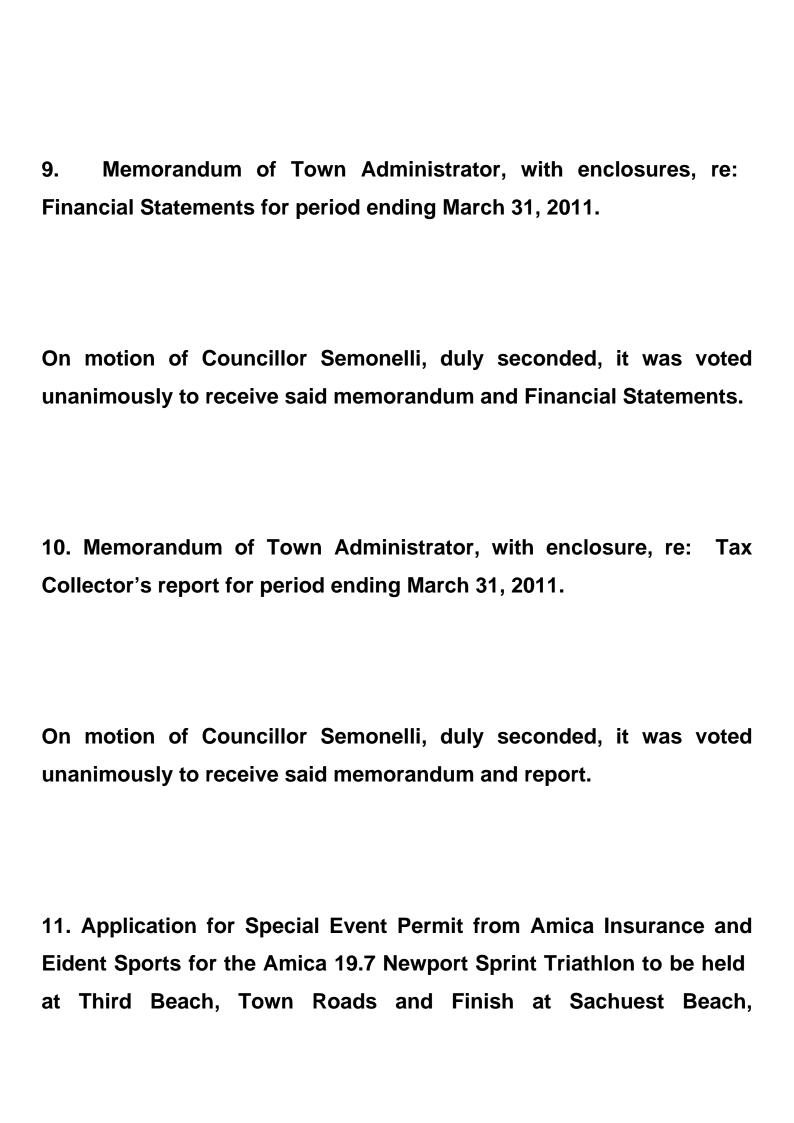


unanimously to receive said memorandum.
ACTING AS A BOARD OF LICENSE COMMISSION
2. (Advertised for Public Hearing)
Application of K. Wang, Inc. dba Sakura Steak House, holder of a Class BV Alcoholic Beverage License to TRANSFER said License to Mizuyama Japanese Restaurant Corp. dba Mizu Steak House, for use at the same premises.
Public Hearing was declared open.
There being no persons present desiring to be heard, public hearing was declared closed.



5. Approval of Minutes, re: Regular Meeting, May 2, 2011.
On motion of Councillor Semonelli, duly seconded, it was voted unanimously to approve said minutes.
6. Resolutions from Rhode Island Cities and Towns, re: Requesting support for proposed legislation In Opposition to Binding Arbitration, to oppose 2011 – S413 & H5943 that mandates expired teacher contracts must continue at the existing terms and conditions and support of a June 1 Layoff Notice Date as Provided in Senate Bill 2011 – S007. (See Attached List)
On motion of Councillor Semonelli, duly seconded, it was voted unanimously to receive said resolutions.





Registration Friday, September 23, 2011 from 12 Noon to 7:00 pm and event on Saturday, September 24, 2011 beginning at 5:00 am to 11:00 am.

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to receive said special event permit.

## **LICENSES & PERMITS**

12. Application of Mizuyama Japanese Restaurant Corp. dba Mizu Steak House, 250 East Main Road for a Victualling House License for the 2010-2011 licensing year. (NEW)

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to grant said license, contingent on Building Official, Fire Marshal, Board of Health and Public Works approvals.

13. Ap	plicat	ion of	Ruby Tu	esday, Inc. d	ba Ruby	Tues	day	#7342, 593
West	Main	Road	for an	Amusement	License	for	the	2011-2012
licens	ing ye	ar. (NE	W; Insid	e Restaurant -	- 2 perso	n baı	nd)	

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to receive said license.

## OTHER COMMUNICATIONS

14. Communication of Richard Rodrigues, Chelsea's Restaurant, re: Request to amend Zoning Ordinance - temporary signs. (Requires Planning Board recommendation)

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to receive said communication and refer said request to the Planning Board for recommendation.

15. Request of Navy League of the United States, re: Request for support by sponsoring a table for the Annual Military Appreciation Night (Navy League) at the Atlantic Beach Club.

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to receive said memorandum and sponsor a ½ table (cost \$250.) for the Annual Military Appreciation Night (Navy League) at the Atlantic Beach Club to be appropriated from the Council President's Discretionary Fund.

16. Communication of Joyce Williams, Victoria Johnson, Alphonsa Cook, Tournament Coordinators, Newport County NAACP, re: Request for support – NAACP Annual Golf Tournament.

On motion of Councillor Semonelli, duly seconded, it was vote to receive said communication and authorize a \$100. donation for

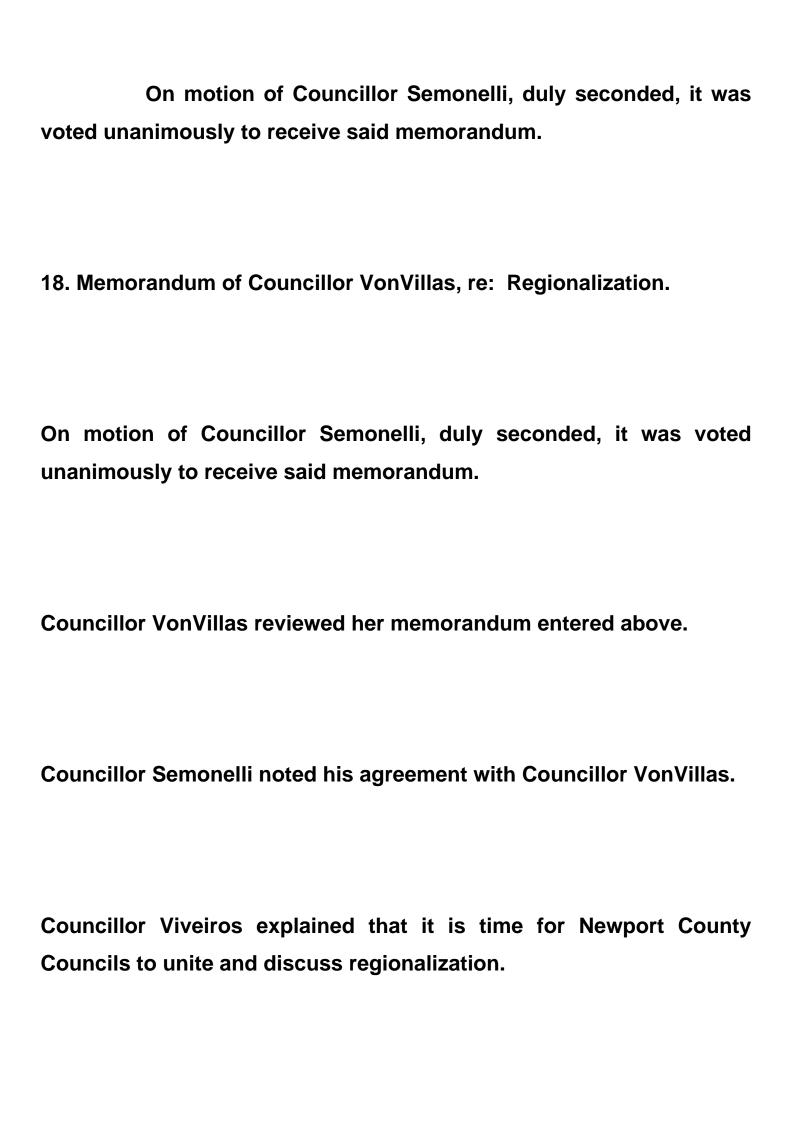
sponsorship of a TEE, said donation to be appropria	ated from the
Council President's Discretionary Fund	

17. Memorandum of Town Administrator, with enclosures, re: Dr. Shoemaker's communications concerning Regional District Planning Committee.

Councillor Viveiros reviewed the Council timeline, since the disbandment of the Town Regional District Planning Committee.

Councillor Semonelli noted that the Aquidneck Island School/Municipal Advisory Committee is seeking to take the next step in the regionalization process.

Councillor VonVillas expressed support to advance to the next level of the regionalization process.



Council President Weber noted the need to amend State Law concerning regionalization.
On motion of Councillor VonVillas, duly seconded, it was voted unanimously to authorize the Council President to invite all Newport County Councils to come together to discuss regionalization.
TOWN ADMINISTRATOR COMMUNICATIONS  19. Memorandum of Town Administrator, re: Shared Municipal Court.
Acting Town Administrator Chief Pesare reviewed the following memorandum entered here:

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to receive said memorandum.

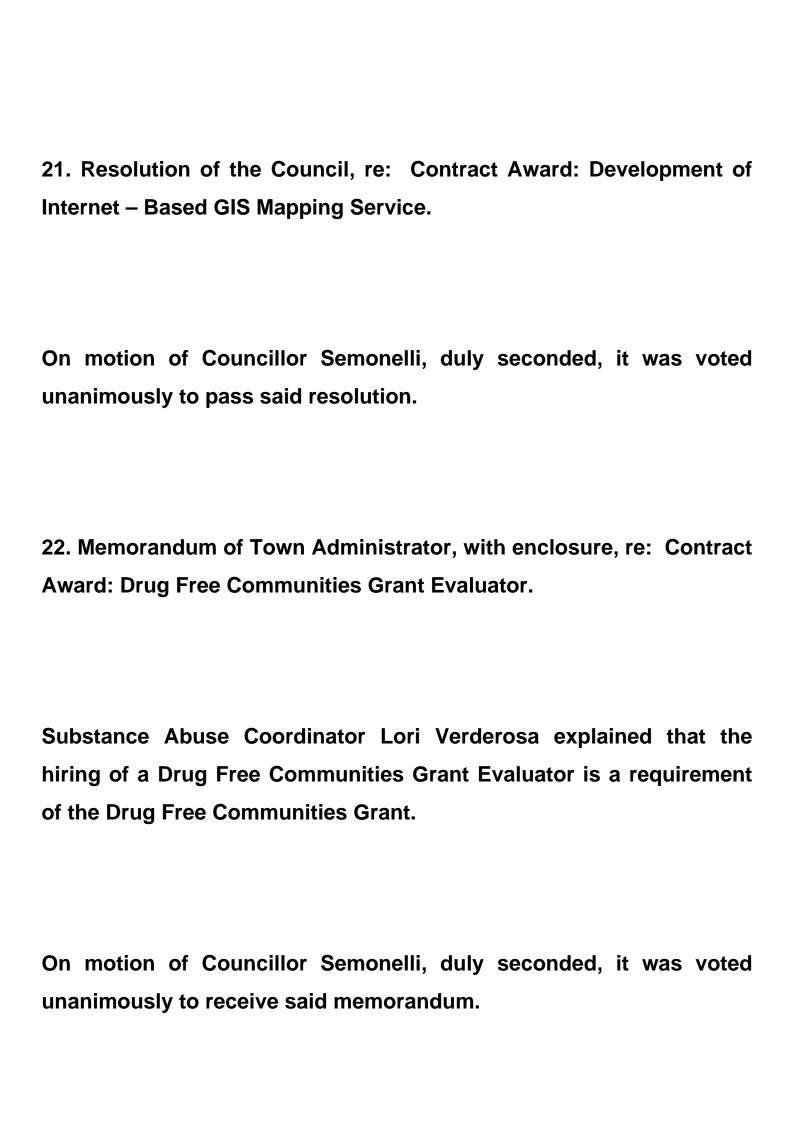
On motion of Councillor Semonelli, duly seconded, it was voted unanimously to approve the concept of a shared Municipal Court between the Town of Middletown and Town of Portsmouth.

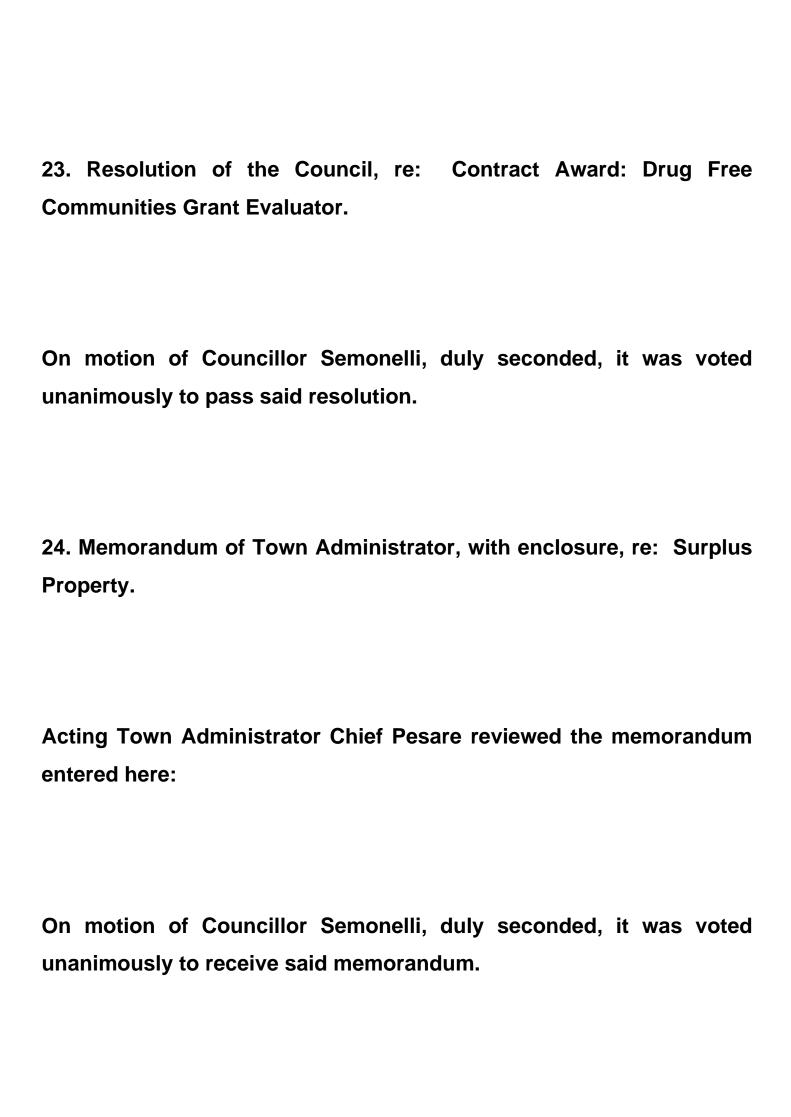
20. Memorandum of Town Administrator, with enclosures, re: Contract Award: Development of Internet – Based GIS Mapping Service.

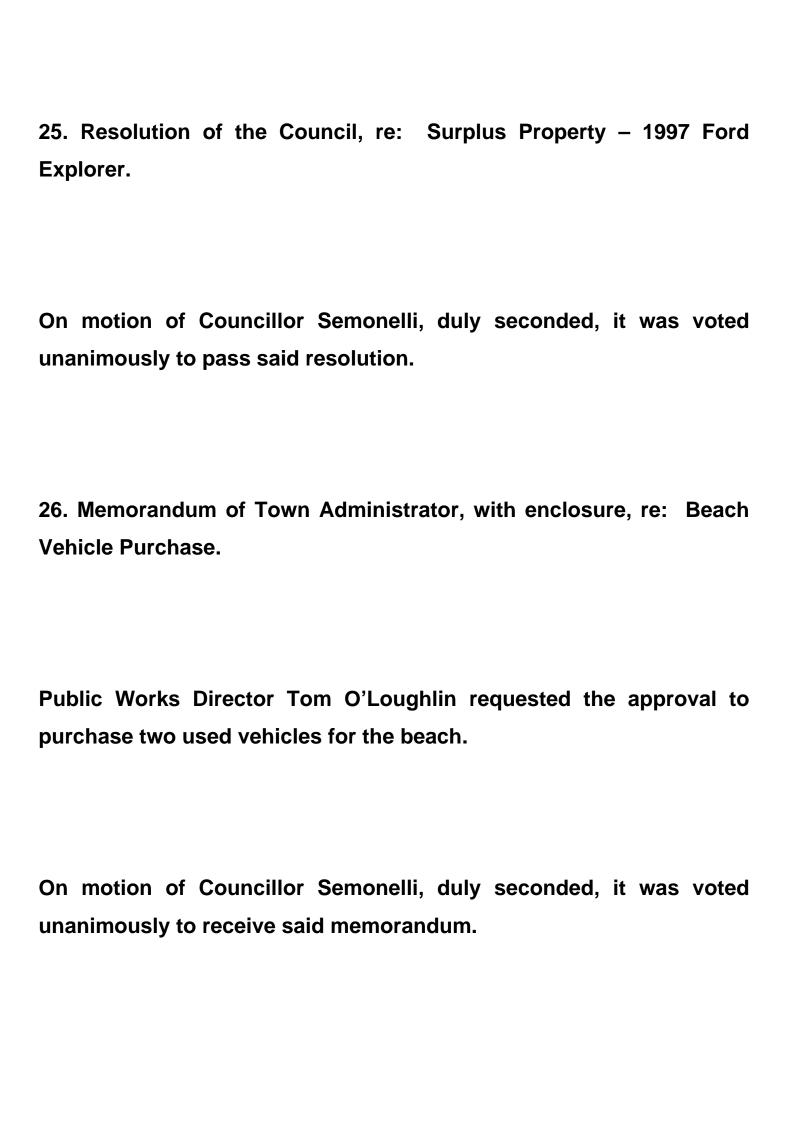
Town Planner Ronald Wolanski reviewed the Development of Internet

-Based GIS Mapping Service noting the desired outcomes of the
online GIS applications entered here:

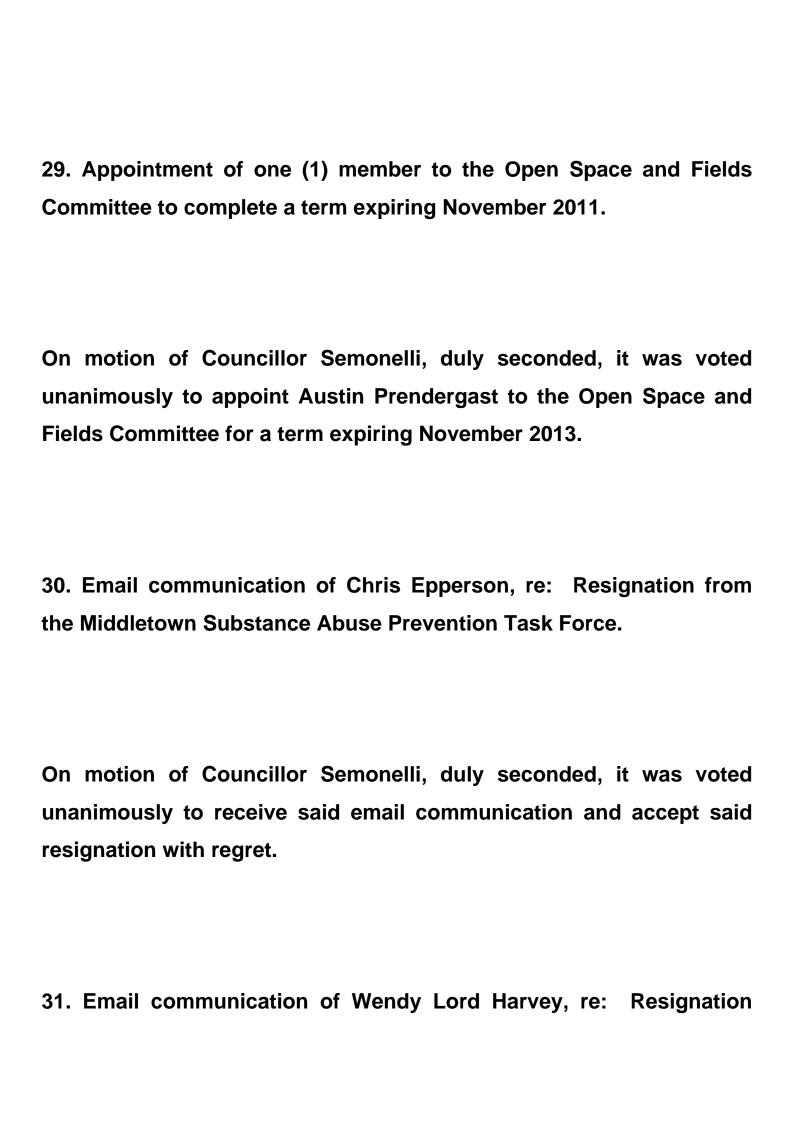
On motion of Councillor Semonelli, duly seconded, it was voted unanimously to receive said memorandum.







27. Resolution of the Council, re: Beach Vehicle Purchase.
On motion of Councillor Semonelli, duly seconded, it was voted unanimously to pass said resolution.
APPOINTMENTS AND RESIGNATIONS TO BOARDS AND COMMITTEES
28. Appointment of two (2) members to the Pension Trust Fund Investment Committee, one term expiring February 2013 and one term expiring February 2014.
On motion of Councillor Semonelli, duly seconded, it was voted unanimously to appoint John Finn for a term expiring February 2014 and Peter Damon for a term expiring 2013 to the Pension Trust Fund Investment Committee.



from the Middletown Substance Abuse Prevention Task Force.

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to receive said email communication and accept said resignation with regret.

# **EXECUTIVE SESSION**

Pursuant to provisions of RIGL, Sections 42-46-2., 42-46-4., and 42-46-5. (a) (2) Collective Bargaining (Town Hall Union).

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to recess open session at 7:45 P.M. and reconvene in executive session. On motion of Councillor Semonelli, duly seconded, it was voted unanimously to reconvene in open session at 7:57 P.M.

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to seal the minutes of the executive session pursuant to Section 42-46-7. RIGL.

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to adjourn said meeting at 8:00 P.M.

Wendy J.W. Marshall, CMC

**Council Clerk** 

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